

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DOCUMENT
ELECTRONICALLY FILED
DOC #: <u>5/18/07</u>
DATE FILED: <u>5/18/07</u>

LARRY MORRIS,

Plaintiff,

-against-

THE CITY OF NEW YORK; POLICE COMMISSIONER  
RAYMOND W. KELLY, DEPUTY INSPECTOR  
DWAYNE MONTGOMERY, SERGEANT PAUL  
SCOTT, POLICE OFFICER BRIAN MCSWEENEY,  
POLICE OFFICER ROBERT J. GROSSMAN, POLICE  
OFFICER MICHAEL MACHADO, LIEUTENANT  
PATRICK BUTTNER, POLICE OFFICER SULEMAN  
SINANAJ, JOHN DOES OFFICERS #1-3,

Defendants.

x

**WHEREAS**, plaintiff Larry Morris commenced this action by filing a complaint on or about September 7, 2006, alleging that defendants violated his constitutional rights; and

**WHEREAS**, defendants have denied any and all liability arising out of plaintiff's allegations; and

**WHEREAS**, the parties now desire to resolve the issues raised in this litigation, without further proceedings and without admitting any fault or liability; and

**WHEREAS**, plaintiff has authorized his counsel to settle this matter on the terms set forth below;

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned, as follows:

1. The above-referenced action is hereby dismissed with prejudice, and without costs, expenses, or fees except as provided for in paragraph "2" below.
2. The City of New York hereby agrees to pay plaintiff the sum of **Twenty-Five Thousand Dollars (\$25,000.00)** in full satisfaction of all claims, inclusive of claims for costs, expenses and attorney's fees. In consideration for the payment of this sum, plaintiff agrees to the dismissal of all claims against defendants, the CITY OF NEW YORK, POLICE COMMISSIONER RAYMOND W. KELLY, DEPUTY INSPECTOR DWAYNE MONTGOMERY, SERGEANT PAUL SCOTT, POLICE OFFICER BRIAN MCSWEENY, POLICE OFFICER ROBERT J. GROSSMAN, POLICE OFFICER MICHAEL MACHADO, LIEUTENANT PATRICK BUTTNER, POLICE OFFICER SULEMAN SINANAJ, and the individuals named in the complaint as John Doe Officers ##1-3, and to release all defendants and any present or former employees or agents of the City of New York from any and all liability, claims, or rights of action that have or could have been alleged by plaintiff in this action arising out of the events alleged in the complaint in this action, including claims for costs, expenses and attorney's fees.
3. Plaintiff shall execute and deliver to defendant City of New York's attorney all documents necessary to effect this settlement,

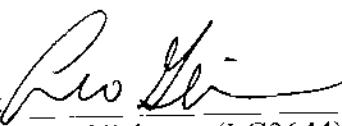
including, without limitation, a General Release and An Affidavit of No Liens based on the terms of paragraph 2 above.

4. Nothing contained herein shall be deemed to be an admission by any of the defendants that they have in any manner or way violated plaintiff's rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.
5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York or any agency thereof.
6. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York  
April 20, 2007

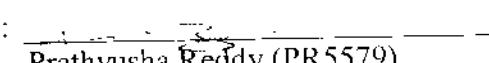
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By:

  
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(212) 788-0963

By:

  
Prathyusha Reddy (PR5579)

Assistant Corporation Counsel

*the Clerk of the Court shall mark this action closed and all pending motions are denied without.*

**SO ORDERED:**

  
United States District Judge

